
Health Services and Development Agency Communique

**A MONTHLY PUBLICATION OF THE
HEALTH SERVICES AND DEVELOPMENT AGENCY**

Andrew Jackson State Office Building

500 Deaderick Street, Suite 850

Nashville, TN 37243

615.741.2364

**AUGUST
2012**

**For Meeting verification/change or agenda information, please call
the Agency Office or check our website at www.tn.gov/hsda**

HEALTH SERVICES & DEVELOPMENT AGENCY

Chair..... D. Lynn Johnson

Vice-ChairCharlotte Burns

Executive Director Melanie Hill

General Counsel James B. Christoffersen

**Tennessee Department of Health
Division of Policy, Planning and Assessment
Health Statistics --- 615.741.1954**

**Tennessee Department of Mental Health and Substance Abuse Services
Office of General Counsel --- 615.532.6520 or
Main Office --- 615.532.6500**

Office Hours are 8:00 a.m. to 4:30 p.m., Central Time, Monday through Friday

CALENDAR

The Health Services and Development Agency will be closed in 2012 on the following days:

Monday, January 2 – New Year's Day observed
 Monday, January 16 – Martin Luther King Day
 Monday, February 20 – President's Day
 Friday, April 6 – Good Friday
 Monday, May 28 – Memorial Day
 Wednesday, July 4 – Independence Day
 Monday, September 3 – Labor Day

* Monday, October 8 – Columbus Day *"substituted for the day after Thanksgiving at the Governor's discretion."*
 Monday, November 12 – Veteran's Day observed
 Thursday, November 22 – Thanksgiving Day
 * Friday, November 23 – *substituted for Columbus Day*
 Monday, December 24 – Christmas Eve
 Tuesday December 25 – Christmas Day
 Monday, December 31 – New Year's Eve

<u>2012 REVIEW CYCLE</u>				
<u>2012 Cycle</u>	<u>Publication Dates- Letter of Intent</u>	<u>Application</u>	<u>HSDA Meeting Dates</u>	<u>* End of Appeal Period</u>
January 2012	12/01/11-12/10/11	5 days after Publication	03/28/12	04/12/12
February 2012	01/01/12-01/10/12	"	04/25/12	05/10/12
March 2012	02/01/12-02/10/12	"	05/23/12	06/07/12
April 2012	03/01/12-03/10/12	"	06/27/12	07/12/12
May 2012	04/01/12-04/10/12	"	07/25/12	08/09/12
June 2012	05/01/12-05/10/12	"	08/22/12	09/06/12
July 2012	06/01/12-06/10/12	"	09/26/12	10/11/12
August 2012	07/01/12-07/10/12	"	10/24/12	11/08/12
September 2012	08/01/12-08/10/12	"	11/14/12	11/29/12
October 2012	09/01/12-09/10/12	"	12/12/12	1/03/13
November 2012	10/01/12-10/10/12	"	01/23/13	02/07/13
December 2012	11/01/12-11/10/12	"	02/27/13	03/13/13

In the event that the last appropriate filing date falls on a Saturday, Sunday, or legal holiday, such filing should occur on the preceding business day.

* Appeal deadline is 15 days after meeting date

STATE OF TENNESSEE POLICY OF NON-DISCRIMINATION

PURSUANT TO THE STATE OF TENNESSEE'S POLICY OF NON-DISCRIMINATION, THE HEALTH SERVICES AND DEVELOPMENT AGENCY DOES NOT DISCRIMINATE ON THE BASIS OF RACE, SEX, RELIGION, COLOR, NATIONAL OR ETHNIC ORIGIN, AGE, DISABILITY OR MILITARY SERVICE IN ITS POLICIES OR IN THE ADMISSION OR ACCESS TO, OR TREATMENT OR EMPLOYMENT IN, ITS PROGRAMS, SERVICES OR ACTIVITIES.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY EEO/AA COORDINATOR OR OFFICER, HEALTH SERVICES AND DEVELOPMENT AGENCY, 500 DEADERICK STREET, SUITE 850, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364. ADA INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY'S ADA COORDINATOR: JAMES CHRISTOFFERSEN, HEALTH SERVICES AND DEVELOPMENT AGENCY, 500 DEADERICK STREET, SUITE 850, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364.

HEALTH SERVICES AND DEVELOPMENT AGENCY MEETINGS

**THSDA Meetings are scheduled to be held at
8:30 a.m. CDT/CST
at the following locations:**

August – December

**Legislative Plaza
Room 12
Sixth Avenue North & Union Street
Nashville, TN**

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- * Meeting locations are subject to change**
- ** All meetings of the Health Services and Development Agency are posted on the Agency's website at www.tn.gov/hsda**

EXECUTIVE DIRECTOR'S ANNOUNCEMENTS:

PLEASE NOTE:

In order that the Agency members may have sufficient time to review the meeting packet, please submit all support, rebuttal and comments for matters on the Agency's agenda no later than noon (Central Time) on the thirteenth day before the meeting at which that matter will be Heard. The parties are encouraged to provide 27 copies. In accordance with T.C.A., Section 68-11-1609(g)(1), any health care institution wishing to oppose a Certificate of Need application must file a written objection with the Agency and serve a copy on the applicant no later than fifteen days before the agency meeting at which time the application is originally scheduled.



RESULTS OF APPLICATIONS HEARD AT THE JULY MEETING

Rainbow Home Health, LLC
112 Frey Street
Ashland City (Cheatham County), TN 37015
CN1203-013
Contact Person: Joy Forshee, Acting DON
Phone No.: 580-212-7801 or 615-812-5156

DEFERRED FROM JUNE MEETING

DENIED

Overton County Nursing Home
318 Bilbrey Street
Livingston (Overton County), TN 38570
CN1204-017
Contact Person: Sarah Lodge Tally, Esq.
Phone: 615.244.9270

APPROVED

Reeves Eye Surgery Center
2685 Boones Creek Road, Suite 102
Johnson City (Washington County), TN 37615
CN1204-018
Contact Person: John L. Wellborn, Consultant
Phone: 615-665-2022

DEFERRED TO AUGUST MEETING

GENERAL COUNSEL'S REPORT

Vanderbilt Health Services dba
Vanderbilt Maury Radiation Oncology LLC
Spring Hill (Maury County), TN
CN1012-053A
Contact Person: Dan H. Elrod, Esq.
Phone: 615-503-9102

APPROVED

The establishment of a home care organization to provide home health services in Cheatham County. The office is to be located at 112 Frey Street, Ashland City (Cheatham County), TN 37015.
\$ 27,950.00

Modification and renovation to the existing 160-bed nursing home. The project includes the construction of a new building behind the existing facility which will include 30 private rooms but will not increase the licensed bed capacity of the facility. Renovations include cosmetic upgrades to the existing facility.
\$ 6,344,844.00

The establishment of a single-specialty ambulatory surgical treatment center (ASTC) limited to ophthalmology. It will have one (1) operating room and one (1) laser procedure room. The project does not contain major medical equipment or initiate or discontinue any other health service and will not affect any licensed bed complements.
\$ 1,266,514.00

The project was approved on February 23, 2011 for the relocation of a proposed health care facility in the previously approved but unimplemented Certificate of Need (CN0804-024A) for construction of a single specialty ambulatory surgical treatment center (ASTC) limited to the initiation of megavoltage radiation therapy services. The project cost was \$7,980,617.

The following requests are made at this time:

(1) Change of Ownership. Vanderbilt Maury Radiation Oncology, LLC was inadvertently established under a provision of TN law that prohibits more than one member; the CON application contemplated two owners (Vanderbit University Medical Center and Maury Regional Medical Center). Request is being made to transfer ownership to another limited liability company to enable both parties to be members, as described more fully in Dan Elrod's letter, dated June 28, 2012. The new owner would ultimately change its name to "Vanderbilt Maury Radiation Oncology LLC."

(2) Change of Control. The CON application described the intent for Maury Regional Medical Center to be a 50% owner of the facility. The parties now desire to make Maury Regional Medical Center a 60% owner, with Vanderbilt University Medical Center owning the remaining 40%.

APPLICATIONS TO BE HEARD AT THE AUGUST MEETING

Reeves Eye Surgery Center
2685 Boones Creek Road, Suite 102
Johnson City (Washington County), TN 37615
CN1204-018
Contact Person: John L. Wellborn, Consultant
Phone: 615-665-2022

DEFERRED FROM JULY MEETING

The establishment of a single-specialty ambulatory surgical treatment center (ASTC) limited to ophthalmology. It will have one (1) operating room and one (1) laser procedure room. The project does not contain major medical equipment or initiate or discontinue any other health service; and will not affect any licensed bed complements

\$ 1,266,514.00

Baptist Memorial Hospital - Huntingdon
631 R.B. Wilson Drive
Huntingdon (Carroll County), TN 38344
CN1205-021
Contact Person: Arthur Maples, Director of Strategic Planning
Phone: 901-227-4137

The conversion of twelve (12) acute care beds currently used as medical-surgical beds to twelve (12) geriatric psychiatric beds. The hospital proposes to initiate a geriatric psychiatric service to be managed by Psychiatric Resource Partners. The project involves the renovation of approximately 4,600 square feet. There are no additional services, major medical equipment, or additional beds involved. There will be no change in the hospital licensed total bed count of 70 beds.

\$ 727,000.00

Satellite Med, LLC
1300 Bunker Hill Road
Cookeville (Putnam County), TN 38506
CN1205-022
Contact Person: Connie S. Cates, Corporate Manager
Phone: 931-528-7312

The establishment of an outpatient diagnostic center (ODC) and initiation of magnetic resonance imaging (MRI) services. The ODC site will be at 1300 Bunker Hill Road, Cookeville (Putnam County), TN 38506. The only service to be provided by the ODC will be MRI services. The ODC will be licensed by the Tennessee Department of Health.

\$ 695,000.00

Southeast Eye Surgery Center
1400 Dowell Springs Boulevard, Suite 300
Knoxville (Knox County), TN 37909
CN1205-023
Contact Person: John L. Wellborn, Consultant
Phone: 615-665-2022

The establishment of a specialty ambulatory surgical treatment center (ASTC) for eye and related procedures. The facility will seek licensure by the Tennessee Department of Health as an ASTC limited to ophthalmology, including eye and oculoplastics procedures. It will have one (1) operating room and one (1) laser procedure room.

\$ 3,183,836.00

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APPLICATIONS TO BE HEARD AT THE AUGUST MEETING

Odyssey Hospice
1400 Donelson Pike, Suite B5
Nashville (Sumner County), TN 37217
CN1205-024
Contact Person: Andrew Rauch, Regional Financial Analyst
Phone: 615-309-1885

The addition of Sumner and Trousdale counties to the existing licensed service area of Odyssey Hospice which currently consists of: Cannon, Davidson, Robertson, Rutherford, Williamson and Wilson counties.
\$ 43,000.00

Baptist Center for Cancer Care
1238 & 1280 South Germantown Parkway and adjacent property at an unspecified address
Germantown (Shelby County), TN 38138
CN1205-026
Contact Person: Arthur Maples, Director, Strategic Analysis
Phone: 901-227-4137

Modification of CN1105-018A, which authorized the establishment of a comprehensive cancer center known as Baptist Center for Cancer Care (BCCC). The original projects and proposed modifications are as follows:

- 1) CN1105-018A, which approved new construction of approximately 105,291 square feet. The proposed modification increases the size of the facility by 52,688 square feet to a total of 157,979 square feet;
- 2) CN1105-018A, approved the relocation of a PET/CT from Baptist Memorial Hospital-Memphis (BMHM) and initiation of PET/CT services at BCCC. The proposed modification will be to relocate the PET/CT scanner acquired by Baptist Memorial Hospital-Tipton (BMHT) under CN1111-050A and currently located at 5945 Wolf River Blvd., Germantown (Shelby County), TN 38138 to BCCC. The PET/CT at BMHM will remain in place;
- 3) CN1105-018A approved the relocation of two (2) linear accelerators and other radiation oncology equipment along with the cyberknife linear accelerator from BMHM and initiation of linear accelerator services at BCCC. The proposed modification is to replace one (1) of the existing linear accelerators when installed at BCCC. The replaced unit will be taken out of service; and
- 4) CN1105-018A approved for a project cost of \$64,925,225. The proposed modification will increase the project cost by \$29,117,691 to a total of \$94,042,916.

The location of BCCC continues to be at 1238 and 1280 South Germantown Parkway, Germantown (Shelby County), TN 38138. The project does not involve change in any service previously approved, the addition of beds or any other service for which a certificate of need is required.
\$ 94,042,916.00

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APPLICATIONS TO BE HEARD AT THE AUGUST MEETING

GENERAL COUNSEL'S REPORT

Saint Francis Hospital
Memphis (Shelby County), TN
CN0803-023A
Contact Person: Kim H. Looney, Esq.
Phone: 615-850-8722

Request for a two (2) month extension of the expiration date from September 1, 2012 to November 1, 2012: The project was approved at the July 23, 2008 Agency meeting for the acquisition of a Cyberknife Stereotactic Radiosurgery System to be installed at the hospital's main campus as an alternative to, but not a replacement of the linear accelerator radiation oncology services already provided at the hospital. The project cost was \$6,651,513.

St. Thomas Outpatient Imaging—Baptist
Nashville (Davidson County), TN
CN1108-031A
Contact Person: Dan H. Elrod, Esq.
Phone: 615-503-9102

Request for modification: Increase the number of magnetic resonance imaging (MRI) units in the approved but unimplemented outpatient diagnostic center (ODC) from one (1) to two (2) by relocating a 3.0T MRI which will be donated from Baptist Hospital. The modification would also include building out an additional room to house the second MRI. The project cost will increase by \$395,000. This project was approved at the November 16, 2011 Agency meeting for the establishment of an ODC and the initiation of MRI services in space leased from Baptist Hospital. Baptist Hospital committed to deactivate an existing MRI when the original project was completed so there would not be no additional MRI capacity in the market. The total project cost would increase from \$3,608,100 to \$4,003,100.

Memphis Long Term Care Specialty Hospital
Memphis (Shelby County), TN
CN0908-046A
Contact Person: E. Graham Baker, Jr., Esq.
Phone: 615-370-3380

Request for change of control of an approved but unimplemented certificate of need: Shelby County Health Care Corporation d/b/a The MED proposes to acquire all of the issued and outstanding equity in Memphis Long Term Care Specialty Hospital, LLC which owns the referenced certificate of need. This project was approved at November 18, 2009 Agency meeting for the relocation and replacement of the twenty-four (24) bed long term acute care hospital to a new facility to be constructed. The project cost was \$7,617,100.

APPLICATIONS TO BE HEARD AT THE SEPTEMBER MEETING

The Pavilion-THS
1406 Medical Center Drive
Lebanon (Wilson County), TN 37087
CN1204-016
Contact Person: G. Frank Lannom, Esq.
Phone: 615-444-3995

To build an addition to the existing sixty (60) licensed bed nursing home; and add twenty-four (24) skilled nursing beds dually certified for Medicare and Medicaid. The expanded facility will have a total of eighty-four (84) licensed beds. The facility currently provides care for private-pay, Medicare Level II, and Medicaid Level I and II residents. There will be no change to the services currently provided.

\$ 1,823,093.00

*These beds are subject to the 2011-2012 Nursing Home Bed Pool.

Southern Sports Surgery Center
127 Saundersville Road, Suite A
Hendersonville (Sumner County), TN 37075
CN1204-019
Contact Person: Thomas Gautsch, M.D.
Phone: 615-452-3320

The establishment of a multi-specialty ambulatory surgical treatment center (ASTC) to: a) expand the designated use of previously approved certificate of need CN1104-013A from a single-specialty to multi-specialty services; and b) relocate the project from 1163 Nashville Pike, Gallatin (Sumner County), TN 37066 to Lot 38 (Indian Lake Village), Saundersville Road, Hendersonville (Sumner County), TN 37075. The center will contain approximately 6,200 square feet of space including two (2) operating rooms, one (1) procedure room, pre/post holding area and support space. The project does not contain any major medical equipment and will not initiate or discontinue any other health service. If granted, the applicant will surrender CN1104-013A.

\$ 3,355,533.00

Coram Alternate Site Services, Inc. d/b/a Coram
Specialty Infusion Services, Inc., an Apria Healthcare
Company
2970 Sidco Drive
Nashville (Davidson County), TN 37204
CN1205-020
Contact Person: Jeffrey J. Miller, Esq.
Phone: 615-256-0500

The establishment of a home health agency limited to providing and administering home infusion products and related infusion nursing services ancillary to Coram's pharmacy services, by the way of example and not limitation, line maintenance, phlebotomy services, infusion equipment repair and replacement, and dressing changes on central lines and external access ports within the following Tennessee counties: Bedford, Bledsoe, Cannon, Cheatham, Clay, Coffee, Cumberland, Davidson, DeKalb, Dickson, Franklin, Giles, Grundy, Hamilton, Hickman, Humphreys, Jackson, Lawrence, Lewis, Lincoln, Macon, Marion, Marshall, Maury, Montgomery, Monroe, Overton, Putnam, Rhea, Robertson, Rutherford, Sequatchie, Smith, Sumner, Trousdale, Van Buren, Warren, White, Williamson, and Wilson, from its current licensed home infusion pharmacy located at 2970 Sidco Drive, Nashville (Davidson County), Tennessee 37207.

\$ 63,000.00

Metro Knoxville HMA, LLC d/b/a Tennova Healthcare--
North Knoxville Medical Center
7551 Dannaher Way
Powell (Knox County), TN 37849
CN1206-027
Contact Person: Jeffrey D. Potter, Senior Vice President
Phone: 865-632-5605

The initiation of mobile positron emission tomography/computerized tomography (PET/CT) services at Tennova Healthcare – North Knoxville Medical Center (NKMC). Mobile services are being proposed for one (1) day per week. No other services will be initiated and no inpatient beds are involved with this project.

\$ 1,309,471.00

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APPLICATIONS TO BE HEARD AT THE SEPTEMBER MEETING

Summit Medical Center
5655 Frist Boulevard
Hermitage (Davidson County), TN 37076
CN1206-029
Contact Person: John L. Wellborn, Consultant
Phone: 615-665-2022

The establishment of a twenty (20) bed acute inpatient rehabilitation unit and service in its hospital facility. The unit will be created by converting twenty (20) adult psychiatric beds to inpatient rehabilitation beds and reclassifying the adult psychiatric unit to an inpatient rehabilitation unit. The adult psychiatric patients will be transferred to the existing adult inpatient psychiatric program at Skyline Medical Center, Madison, a sister facility. Summit Medical Center is a 188 licensed bed general hospital facility. The project will not change its licensed bed complement or initiate any other health service or include any major medical equipment.
\$ 2,500,000.00

Sycamore Shoals Hospital
1501 West Elk Avenue
Elizabethton (Carter County), TN 37683
CN1206-030
Contact Person: Laura Linn, Senior Planning Analyst
Phone: 423-302-3385

The discontinuance of obstetrical services. This project will not involve any major medical equipment, will not initiate nor discontinue any other type of health service, and will not change the licensed total bed count of 121 beds at the facility.
\$ 14,000.00

APPLICATIONS TO BE HEARD AT THE OCTOBER MEETING

SeniorHealth of Rutherford, LLC
1009 North Thompson Lane
Murfreesboro (Rutherford County), TN 37129
CN1207-031
Contact Person: E. Graham Baker, Jr., Esq.
Phone: 615-370-3380

The addition of sixteen (16) psychiatric beds (8-adult plus 8-geriatric) to its sixty (60) bed hospital. The requested beds will be licensed as hospital beds, as are the already approved beds at the Applicant's hospital. There is no major medical equipment involved with this project. No other health services will be initiated or discontinued. It is proposed that the Applicant will serve Medicare, Medicaid, commercially insured and private-pay patients, and the Applicant will be licensed by the Tennessee Department of Health.
\$ 165,000.00

VIP Home Nursing and Rehabilitation Service, LLC
d/b/a CareAll Home Care
4015 Travis Drive, Suite 102
Nashville (Davidson County), TN 37211
CN1207-033
Contact Person: J. Scott McDearman, Esq.
Phone: 426-756-8400

The relocation of the home health parent office from 501 Park Avenue, Suite B, Lebanon (Wilson County), Tennessee to the current location of its Nashville branch office located at 4015 Travis Drive, Suite 102, Nashville (Davidson County), Tennessee. VIP Home Nursing and Rehabilitation Service, LLC is licensed to serve Bedford, Cannon, Cheatham, Clay, Cumberland, Davidson, DeKalb, Jackson, Macon, Overton, Perry, Putnam, Robertson, Rutherford, Smith, Sumner, Trousdale, Van Buren, Warren, White, Williamson and Wilson Counties. Existing home care services will not be affected, and no service will be initiated or discontinued. The project does not impact patient care, involves no construction or capital expenditure or the acquisition or modification of any item of major medical equipment.
\$ 111,500.00

Chattanooga-Hamilton County Hospital Authority
d/b/a Erlanger Medical Center
975 East 3rd Street
Chattanooga (Hamilton County), TN 37403
CN1207-034
Contact Person: Joseph M. Winick, Senior Vice President,
Planning & Business Development
Phone: 423-778-7274

For the renovation, upgrade and modernization of adult operating rooms to include the addition of four (4) new operating rooms. No other health care services will be initiated or discontinued.
\$ 21,725,467.00

The Surgical and Pain Treatment Center of Clarksville, LLC
2269 Wilma Rudolph Boulevard, Suite #102
Clarksville (Montgomery County), TN 37040
CN1207-036
Contact Person: Kimberly Chipman, RN, BSN, JD, Clinical
Administrator
Phone: 931-905-1720

The establishment of a single-specialty ambulatory surgical treatment center (ASTC) in a medical office building. If approved, the facility will be licensed as an ASTC limited to pain management, with one (1) operating room. The project does not contain major medical equipment, initiate, or discontinue any other health service; and it will not affect any facility's licensed bed complements.
\$ 1,012,933.00

<u>FACILITY</u>	<u>DOCKET #</u>	<u>DESCRIPTION</u>	<u>Meeting Date</u>
East Tennessee Radiation Therapy Services Knoxville, Knox County CN1108-030A	25.00-115208J	Appeal of Approval of CON	12/14/2011
HealthSouth Rehabilitation Hospital of Williamson County Franklin, Williamson County CN102-059A	25.00-111868J	Appeal of Approval of CON	3/23/2011
Hearth, LLC Chattanooga, Hamilton County CN1203-015A	25.00-117591J	Appeal of Approval of CON	6/27/2012
Middle Tennessee Rehabilitation Hospital, LLC Franklin, Williamson County CN102-055D	25.00-111868J	Appeal of Denial of CON	3/23/2011

Health Services and Development Agency

Members

D. Lynn Johnson
(Consumer, Speaker of the House)

Charlotte C. Burns
(Hospital)

Claudia H. Byrd
(Consumer, Speaker of the Senate)

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(Consumer, Governor)

Barrett G. Haik, M.D.
(Physician)

Thom Mills
(Home Care)

William Southwick
(Ambulatory Surgical Treatment Centers)

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Keith Gaither, Designee
for Director of TennCare
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Lisa Jordan, Designee
for Commerce & Insurance Commissioner
Julie Mix McPeak

Faye Weaver, Designee
for Comptroller
Justin Wilson

